

CITY COUNCIL MINUTES

November 14, 2011

REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, November 14, 2011 at 6:00 p.m. with Mayor Kirby presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Bridget Powers, Kevin Hanley, J. M. "Mike" Holmes, Keith Nesbitt, William W. Kirby

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Transit Analyst Megan Siren, Senior Planner Reg Murray, Administrative Services Director Andy Heath and Police Chief John Ruffcorn.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6:

MOTION: Nesbitt/ Powers/ Unanimously Approved by Voice

- (1) Conference with Labor Negotiators:
(G.C. 54957.6)

Agency Designated Representative: Patrick Clark, Robert Richardson

Employee Group: Fire

- (2) Anticipated Litigation
(G.C. 54956.9(b)(1))

A point has been reached where, in the opinion of the City Council on the advice of the City Attorney, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City.

- a) Receipt of Claim pursuant to Tort Claims Act or other written communication from George S. Louie threatening litigation (copy available

- for public inspection in the City Clerk's office). (Government Code Section 54956.9b(3)(C)).
- (3) Existing Litigation
(G.C. 54956.9(a))

Nature of Case: Public employees have filed an Unfair Practice Charge with the Public Employee Relations Board

Names of Parties: Stationary Engineers Local 39 and the City of Auburn

REPORT OUT OF CLOSED SESSION

No reportable action.

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Mayor Kirby presented commendations for Bradley Burts and McKenzie McNamara.

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

1. **Grant Application to the Sierra Nevada Conservancy Proposition 84 Grant Program**

By **RESOLUTION 11-115**, authorize the Fire Chief to submit a grant application to the Sierra Nevada Conservancy Proposition 84 Grants Program.

2. **Short Range Transit Plan- Adoption**

By **RESOLUTION 11-116**, adopt the Short Range Transit Plan for Auburn Transit.

3. **Program Supplement Agreement – Auburn Multi-Modal Station Platform Extension Project**

By **RESOLUTION 11-117**, authorize the Director of Public Works to execute Program Supplement No. N011 for Project Number CML-5077(017) for the Auburn Multi-Modal Station Platform Extension Project.

4. **Amendment of Auburn Municipal Airport Land Leases (Lot 11)**

By **RESOLUTION 11-118**, authorize the City Manager or his designee to execute amendments to the Auburn Municipal Airport Industrial Park Land Lease Agreements and related documents for Lot 11 between the City of Auburn and Chet Eccles III.

5. **Cancellation of Two City Council Meetings**

By **MOTION**, approve the cancellation of the regular City Council meetings on the 4th Monday of November and the 4th Monday of December, 2011.

***** End of Consent Calendar *****

By MOTION, approve the consent calendar.

MOTION: Powers/ Nesbitt/ Approved 5:0

6. **Public Comment**

Public Works Director Bernie Schroeder gave an update on Streetscape Phase 2.

Council Member Holmes talked about the successful Veterans Day parade held last weekend in Auburn. He said the U.S. House of Representatives voted to display a sign reading "In God We Trust" in early November. He also updated the council and public about Certified Local Government status.

Council Member Nesbitt congratulated and thanked the Public Works Department on their response to the sewer emergency at Vintage Oaks. He also congratulated Placer High School Football Team on their first play-off game win.

Mayor Kirby said the "tile" ceremony at the Masonic Lodge in Central Square last week was a success. He also said the Veterans Day parade was extraordinary.

John Carr, resident of Auburn, spoke about honoring Bud Anderson by naming the street out to the Auburn Municipal Airport after him.

Council Members addressed Mr. Carr's comments.

PUBLIC HEARING

7. TEFRA Hearing for Conduit Financing – Mercy Auburn Senior Apartments (585 Sacramento Street)

Senior Planner Reg Murray presented this item. He said this public hearing is held as a requirement for the issuance of the bonds to conduct a tax-exempt hearing to offer the public the opportunity to comment on pros or cons using tax revenue for financing the project and also for execution of the joint powers agreement.

Council Member Holmes and Council Member Nesbitt asked about funding of the project.

City Manager Robert Richardson explained the effects on the funding after an upcoming court decision on redevelopment agencies is made.

By **RESOLUTION 11-119**, approve the issuance of the Bonds by the CMFA for the benefit of Mercy Housing California 49, a California limited partnership, to provide for the financing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and California Government Code Section 6500 (and following). The resolution also authorizes the Mayor, City Manager or designee thereof to execute a Joint Exercise of Powers Agreement with the CMFA.

MOTION: Powers/ Holmes/ Approved 5:0

REPORTS

8. City Council Committee Reports

Council Member Powers reported that on November 30th the Airport Business Park Association will be meeting in the Pilots Lounge. She also reported the Mandarin Festival is this weekend. She reported that the Economic Development Commission is working on marketing materials for Auburn and hopes to have a presentation before Council in the near future.

Council Member Holmes reported on the funding for the Auburn State Recreation Area. He reported that Placer County Transportation Planning Agency approved a new contract with Mead & Hunt for the Airport Land Use Plan update.

Mayor Kirby reported on the Placer Nevada County Wastewater Authority and recent meetings regarding the regional sewer options. He reported on the Salvation Army community dinner at the fairgrounds on Thanksgiving.

He also reported that he plans to run for a second term on the City Council next year.

COUNCIL BUSINESS

9. Arts Commission Report

Arts Commission Chair Randy Mealhow presented this item (updated report available in staff report). He provided updates on: (1) Public Art Loan Program, (2) Streetscape Project, (3) Mural Projects, (4) City Hall Gallery, (5) Music/Art Festival, (6) UAIC Art for Central Square, (7) Airport Monument, (8) Fund Raising, (9) Mountain Quarries Bridge Gallery Show, and (10) AAC Vacancies.

Council Member Holmes gave a report on the UAIC contribution. He said there are some legal issues that need to be finalized.

Mayor Kirby commented on the Art Walk and making it more walk-friendly due to lighting and time of the evening.

Council Member Nesbitt said he felt the last Art Walk was well attended.

Council Member Hanley asked about fundraising for touch ups on current murals.

Randy Mealhow said it has not been addressed at this time.

10. Mountain Quarries Railroad Bridge Mural

Arts Commission Chair Randy Mealhow introduced this item.

Local Artist Archie Warren introduced himself and explained his background in Arts.

Arts Commissioner Robert Turner presented this item and explained how it came together. He said the owners of the building and the previous mural artist have been contacted and support the new mural. He said they would like to paint the wall blank at first and put out a call for donated paint and supplies for the project. He said the \$1,500 fund request is to provide a UV protectant on the final mural.

Archie Warren explained how the mural will be designed. He said this mural could be tied into the bridge's centennial celebration.

Council Member questions followed regarding: (1) quality control, (2) identification on the mural, (3) alternative locations, and (4) Streetscape History and Art Advisory Committee (SHAAC) recommendations.

Robert Turner explained why the Arts Commission felt like the "Depot Bay" wall would work the best for this mural.

Council Member comments followed regarding: (1) Agriculture theme determined by SHAAC, (2) alternative murals designed for Central Square, (3) SHAAC's recommendation for this mural, and (4) proper site for the type of mural presented.

Archie Warren explained the perspective of the mural on the "dancing dog" wall.

Randy Mealhow explained why the location was chosen for this mural although it did not fit into the SHAAC pre-determined theme for the area.

Mayor Kirby said he does not like the difference of opinion for location of this mural between the two committees (Arts Commission and SHAAC).

Council Member Nesbitt explained the SHAAC committee's recommendations to the Arts Commission.

Judy Lardner, Arts Commissioner, clarified the role of the council when receiving a recommendation from a commission.

Aloha Baumgarten, Arts Commissioner, spoke in favor of the mural at the proposed location.

Robert Turner said the youth of the community are very excited about doing a project in the community.

Council Member Hanley said it is the Council's responsibility to make a decision on this item. He said this is a "gift" to the City. He said SHAAC's recommendations are not "etched in granite".

Council Member comments followed regarding supporting the mural.

By **MOTION**, approve the commission and painting of a mural at 897 High Street at a cost not to exceed \$1,500.

MOTION: Hanley/ Powers/ Approved 5:0

11. **Aggressive Solicitation Ordinance: Gas Stations**

Council Member Hanley presented this item. He said this is an amendment to an ordinance passed in July to include gas stations.

Council Member comments followed regarding support of this amendment.

Hold a first reading, by title only, of an **ORDINANCE** amending Chapter 121 to the Auburn Municipal Code related to aggressive solicitations (panhandling) at gas stations.

MOTION: Holmes/ Nesbitt/ Approved 5:0

12. **Protecting Placer's Future Interests in a Delta Solution**

Council Member Hanley presented this item and introduced the representative from Placer County Water Agency (PCWA).

Einar Maisch, Director of Strategic Affairs for PCWA, explained the water supply situation in the Delta and water rights. He said the purpose of this resolution is to try to engage opinion leaders in this conversation.

Council Member clarified this resolution in no way provides any endorsement for an Auburn dam.

Mr. Maisch confirmed it does not.

Council Member Hanley said this resolution does not have specific proposals embodied in it; it is more a defensive resolution going forward.

Council Member Holmes said he would like a copy sent to Representative McClintock also.

Mayor Kirby spoke in favor of this resolution.

By **RESOLUTION 11-120**, support working with a regional water coalition to ensure that in any Delta solution crafted by the California Legislature, Delta Stewardship Council, Department of Water Resources and other state governmental agencies that the water supply interests of Placer residents are acknowledged and protected.

MOTION: Holmes/ Hanley/ Approved 5:0

13. **Review of Services – City of Auburn Administrative Services Department**

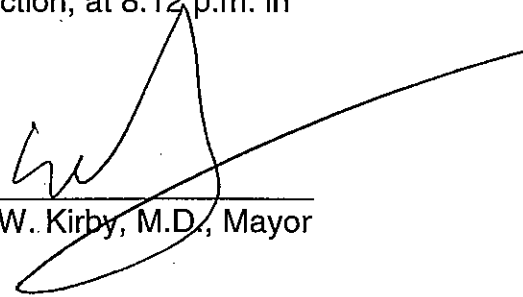
Administrative Services Director Andy Heath presented this item (information available in the staff report). He reviewed all the core functions handled by the Administrative Services Department.

Council Member questions followed departmental overtime and redevelopment bonds.

Council Member comments followed regarding the thorough report and the efficiency of the organization.

ADJOURNMENT

Mayor Kirby adjourned this meeting, without objection, at 8:12 p.m. in honor of all Veterans.



William W. Kirby, M.D., Mayor



Amy M. Labrie, Deputy
Joseph G. R. Labrie, City Clerk